

**United States Court of Appeals for the Second Circuit**  
**Thurgood Marshall U.S. Courthouse**  
**40 Foley Square**  
**New York, NY 10007**

**ROBERT A. KATZMANN**  
CHIEF JUDGE

**CATHERINE O'HAGAN WOLFE**  
CLERK OF COURT

Date: October 16, 2014  
Docket #: 14-1224cv  
Short Title: Tran v. Bank of New York

DC Docket #: 13-cv-580  
DC Court: SDNY (NEW YORK CITY)  
DC Judge: Patterson

**NOTICE OF DEFECTIVE FILING**

On October 14, 2014 the Brief was submitted in the above referenced case.  
The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

- Failure to submit acknowledgment and notice of appearance (*Local Rule 12.3*)
- Failure to file the Record on Appeal (*FRAP 10, FRAP 11*)
- Missing motion information statement (*T-1080 - Local Rule 27.1*)
- Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) (*FRAP 27*)
- Insufficient number of copies (*Local Rules: 21.1, 27.1, 30.1, 31.1*)
- Improper proof of service (*FRAP 25*)
  - Missing proof of service
  - Served to an incorrect address
    - Incomplete service (*Anders v. California* 386 U.S. 738 (1967))
  - Failure to submit document in digital format (*Local Rule 25.1*)
- Not Text-Searchable (*Local Rule 25.1, Interim Local Rules 25.2*), click [here](#) for instructions on how to make PDFs text searchable
- Failure to file appendix on CD-ROM (*Local Rule 25.1, Interim Local Rules 25.2*)
- Failure to file special appendix (*Local Rule 32.1*)
- XX  Defective cover (*FRAP 32*) - NOTE: Contact information for counsel must appear on front cover (see *FRAP 32(a)(2)*). If you cannot fit all of the contact information or caption on the cover, you may continue the caption and the rest of the contact information on inside cover/next page.**
  - Incorrect caption (*FRAP 32*)
  - Wrong color cover (*FRAP 32*)
  - Docket number font too small (*Local Rule 32.1*)
- XX  Incorrect pagination, click [here](#) for instructions on how to paginate PDFs (*Local Rule 32.1*) - NOTE: When re-filing, please use same filing event (i.e. DO NOT use "Corrected Brief").**
  - Incorrect font (*FRAP 32*)
  - Oversized filing (*FRAP 27 (motion), FRAP 32 (brief)*)

Missing Amicus Curiae filing or motion (*Local Rule 29.1*)  
 Untimely filing  
 Incorrect Filing Event  
 Other: \_\_\_\_\_

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than **October 20, 2014**. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8623.